



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alan D. Adams, et al

Serial No. 10/522/114

Art Unit: 1624

Filed: January 24, 2005

Examiner: Bruck Kifle

For:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

02/22/2006 RFEKADU1 00000030 132755 10522114

01 FC:1806 180.00 DA

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.By Carol Squaglia Date 2-15-06

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☒ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Carol S. Quagliato

Attorney _____ For Applicant(s)

Reg. No. 35,330

MERCK & CO., INC.

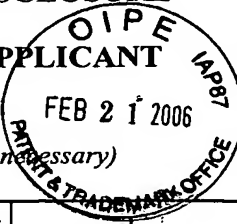
Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-3809

Date: February 15, 2006

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			COMPLETE IF KNOWN		
			Application Number	10/522,114	
			Filing Date	January 24, 2005	
			First Named Inventor	A. Brian Jones	
			Group Art Unit	1624	
			Examiner Name	Bruck Kifle	
Sheet	1	of	2	Attorney Docket Number	20919YP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1	US 6,008,237		Sahoo, et al.	12/28/1999
	2	US 6,908,934		Adams, et al.	06/21/2005
	3	US 2002/0173663		Liu, et al.	11/21/2002
	4	US 2003/0086923		Sparrow, et al.	05/08/2003
	5	US 2003/125357		Adams, et al.	07/03/2003

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	6		WO 01/41704		Sparrow, et al.	06/14/2001
	7		WO 03/045382		Adams, et al.	06/05/2003
	8		WO 03/053352		Jones, et al.	07/03/2003

Examiner Signature	Date Considered	
--------------------	-----------------	--

(use as many sheets as necessary)

2

of

2

10/522,114

January 24, 2005

A. Brian Jones

1624

Bruck Kifle

20919YP

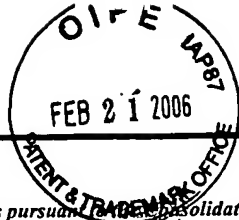
Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

9

Menke, et al., *Endocrinology*, "A Novel Liver X Receptor Agonist Establishes Species Differences in the Regulation of Cholesterol 7 α -Hydroxylase (CYP7a)", 143(7) pp. 2548-2558, July, 2002.

Date Considered

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005



TFW
1624

FEE TRANSMITTAL <small>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)</small>	Complete if Known		
	Application Number	10/522,114	
	Filing Date	January 24, 2005	
	First Named Inventor	Alan D. Adams	
	Examiner Name	Bruck Kifle	
	Art Unit	1624	
TOTAL AMOUNT OF PAYMENT	\$180	Attorney Docket Number	20919YP

METHOD OF PAYMENT (check all that apply)

☒ Deposit Account Deposit Account Number 13-2755 Deposit Account Name Merck & Co., Inc.

For the above-identified deposit account, the Director is hereby authorized to (check all that apply):

☒ Charge fee(s) indicated below

☒ Credit any overpayments

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee (\$)	SEARCH FEES Fee (\$)	EXAMINATION FEES Fee (\$)	Fees Paid (\$)
Utility	300	500	200	
Design	200	100	130	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)
Each claim over 20	50
Each independent claim over 3	200
Multiple dependent claims	360

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims Fee (\$)	Fee Paid (\$)
20	-20 = 0	x \$50	= \$0	\$360	

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
2	-3 = 0	x \$200	= \$0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding sequence listing or computer program listing filed in an electronic medium), the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1) (G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 = 0	/50= 0 (round up to a whole number)	0 X \$250	= \$0

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee	
Other: <u>Information Disclosure Statement fee under 37 CFR 1.17(p)</u>	\$180

SUBMITTED BY

Signature	<i>Carol S. Quagliato</i>	Reg. Number	35,330	Telephone	732-594-3809
Name (Print/Type)	Carol S. Quagliato	Date	02/15/2006		